

The Georgia Board of Chiropractic Examiners met on **November 6, 2003** at the Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia for the purpose of conducting business.

**Members Present:**

- Patrick J. Sallarulo, D.C., President
- James A. Anchors, D.C.
- Karen Mathiak, D.C.
- J. Craig Patterson, D.C.

**Others Present:**

- Ajay Gohil, Assistant Attorney General
- Anita O. Martin, Executive Director
- Lea F. Williams, Board Secretary
- Jackie Hightower
- Yvonne Lesane

President Sallarulo established that a quorum was present, and called the meeting to order and in **OPEN SESSION** at 10:05 A.M.

**March 13, 2003 Minutes:** Dr. Wren made a motion to **approve** the minutes of the March 13, 2003 meeting as presented. The motion was seconded by Dr. Patterson and approved by the Board.

**Roster of New Licensees:** Dr. Anchors made a motion to **approve** the list. The motion was seconded by Dr. Wren and approved by the Board. (Attachment #1)

**John D. Rasnick:** Dr. Anchors made a motion to **deny** Mr. Rasnick's request for copies of investigation files. Dr. Patterson seconded the motion and it was approved by the Board.

**Survey from NBCE:** Dr. Wren made a motion to **request** a copy of the Sexual Misconduct/Boundaries Issues exam for the Board to review. The motion was seconded by Dr. Anchors and approved by the Board.

**E-mail from Rick Martin:** Dr. Patterson made a motion to **send** a "no legal advice" letter. The motion was seconded by Dr. Wren and approved by the Board.

**Inactive Status Request from Daniel J. Catanzaro, D.C.:** Dr. Anchors made a motion to **deny** the request and advise Dr. Catanzaro that he must apply for reinstatement. The motion was seconded by Dr. Patterson and approved by the Board.

**Power Poll: FCLB:** The Board **answered** the poll, and requested the Board staff to fax the information to the FCLB.

**Letter from Enrique Crespo:** Dr. Wren made a motion to **send** a "no legal advice letter". The motion was seconded by Dr. Patterson and approved by the Board.

**Request submitted by Gary Boraks, D.C.:** Dr. Anchors made a motion to **deny** Dr. Boraks' request, and advise him he has 30 days to remit the fine ~~money~~. The motion was seconded by Dr. Wren and approved by the Board.

**Letter from Eric Krohne, Ph.D. regarding CE Program:** Dr. Patterson made a motion to **advise** Dr. Krohne that the Board will send letters to all of the CCE-accredited schools clarifying that CE programs must be within the scope of practice, or Georgia licensees will not receive credit. The motion was seconded by Dr. Anchors and approved by the Board.

**Letter from Bryan Ruocco:** Dr. Wren made a motion to **advise** Mr. Ruocco that he must meet the requirements for licensure in existence at the time of licensure application, and that the Board cannot guarantee anyone a license. Dr. Patterson seconded the motion and it was approved by the Board.

**Letter from Richard Lacy, D.C.:** Dr. Patterson made a motion to **send** Dr. Lacy a "no legal advice" letter. Dr. Wren seconded the motion and it was approved by the Board.

**Carolyn Harding of Data Trace:** Dr. Anchors made a motion to **advise** Ms. Harding that all C.E. programs must meet the requirements of the Board's C.E. rule. The motion was seconded by Dr. Wren and approved by the Board.

**Rule 100-2-.08, Inactive License:** Dr. Patterson made a motion to **post** the proposed amendments to Rule 100-2-.08. The motion was seconded by Dr. Wren and approved by the Board. (Attachment #2)

**Rule 100-2-.09, Reinstatement of Expired Licenses:** Dr. Wren made a motion to **post** the proposed amendments to Rule 100-2-.09. The motion was seconded by Dr. Anchors and approved by the Board. (Attachment #3)

The Board also voted that the formulation and adoption of these rules do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-30-1(2)(b) & (c) and 43-30-5.

The Board also voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-30-1(2)(b) & (c) and 43-30-5 to adopt or implement differing actions for business as listed in O.C.G.A. § 50-13-4(3) (A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominate in the field of chiropractic.

**Letter from Dr. Krohne of the GCA regarding G.M.K.:** Dr. Wren made a motion to **send** G.M.K. a letter requesting he submit copies of C.E.'s for 2001 and 2002 within 30 days. The motion further stated that if the proof is not received – refer this matter to the attorney's office for a Notice of Hearing for Revocation. Dr. Patterson seconded the motion and it was approved by the Board.

**Request of Michele Cawyer of United Healthcare:** Dr. Anchors made a motion to **approve** Ms. Cawyer's request and schedule her to meet with the Board in the September meeting. The motion was seconded by Dr. Patterson and approved by the Board.

**E-mail submitted by Nancy Stafford:** Dr. Patterson made a motion to **request** Ms. Stafford to provide the names of the D.C.'s involved, and open as a complaint. Dr. Wren seconded the motion and it was approved by the Board.

**Request from Jay Brodwyn, D.C.:** Dr. Wren made a motion to **approve** the request and lift the probation from Dr. Brodwyn's license. The motion was seconded by Dr. Anchors and approved by the Board.

**E-mail from R.G.:** Dr. Patterson made a motion to **advise** R.G. that he would have to pay the reinstatement fee, and pass the S.P.E.C. in order to be reinstated. The motion was seconded by Dr. Wren and approved by the Board.

**Letter from G.C.A. regarding C.E. Program:** See previous item from Dr. Krohne of the GCA.

**Rule waiver request submitted by David Lee, D.C.:** Dr. Anchors made a motion to **deny** Dr. Lee's request to waive Rule 100-8-.01(5)(b). The motion was seconded by Dr. Patterson and approved by the Board.

**Statement concerning Life University and CCE:** Viewed as informational.

**Request submitted by Arthur Gabel, D.C.:** Dr. Wren made a motion to **deny** the request for certain restrictions to be lifted from his license. The motion was seconded by Dr. Anchors and approved by the Board.

**Letter from Charlotte Watts, D.C. of Parker College:** Dr. Patterson made a motion to **refer** Dr. Watts to the rules and laws. The motion was seconded by Dr. Wren and approved by the Board.

**Request submitted by Chris Carver, D.C.:** Dr. Anchors made a motion to **deny** Dr. Carver's request. The motion was seconded by Dr. Patterson and approved by the Board.

**Board Policies:** Dr. Wren made a motion to **approve** the policies as presented. The motion was seconded by Dr. Anchors and approved by the Board. (Attachment #4)

**Request of C.E. waiver submitted by Paul D. Hammel, D.C.:** Dr. Patterson made a motion to **approve** Dr. Hammel's request. The motion was seconded by Dr. Wren and approved by the Board.

**June 9, 2003 Conference Call minutes:** Dr. Anchors made a motion to **approve** the minutes as presented. The motion was seconded by Dr. Patterson and approved by the Board.

Dr. Wren moved, Dr. Anchors seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-2(k) to deliberate on applications. Voting in favor of the motion were those present who included Board members Patterson and Sallarulo.

#### **EXECUTIVE SESSION:**

The Board reviewed the Licensure applications submitted by **T.M.D. and L.S.G.**

The Board met with applicants **D.L.B. and K.P.**

The Board returned to **OPEN SESSION** to discuss/vote on the following:

**OPEN SESSION:**

**T.M.D.:** Dr. Anchors made a motion to **approve** the licensure application. The motion was seconded by Dr. Wren and approved by the Board.

**L.S.G.:** Dr. Patterson made a motion to **refer** to the A.G.'s office for a Public Reprimand, \$500.00 fine and one year probation for not answering question #2 correctly on the application. The motion was seconded by Dr. Anchors and approved by the Board.

**D.L.B.:** Dr. Wren made a motion to **deny** D.L.B.'s appeal for licensure. The motion was seconded by Dr. Patterson and approved by the Board.

**K.P.:** Dr. Anchors made a motion to **approve** K.P.'s appeal for licensure, and issue a license under a Private Impairment Consent Order to include drug screens one time per month for the first 6 months of licensure with one screen per quarter for the duration of the three-year probation. Licensee must also enroll in and stay in an aftercare program for the duration of probation. The order is accepted upon receipt. Dr. Wren seconded the motion and it was approved by the Board.

➤ **Anita O. Martin, Executive Director's Report:**

- Provided new Board member orientation.
- Drafted 2004 meeting calendar:
  - January 8
  - March 11
  - May 13
  - July 15
  - September 9
  - November 11

Dr. Anchors moved, Dr. Wren seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §43-1-19(h)(2) to deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board members Patterson and Sallarulo.

**EXECUTIVE SESSION:**

**REPORTS**

➤ **Ajay Gohil, Attorney General's office:**

- Updated the Board on the 36 cases presently in his office.
- Reported on cases #03-057; #03-25; #02-026; & #99-2499.
- Presented signed consent order on J.A.H.
- Presented counteroffer terms for consent order on R.C.

➤ **Cognizant Reports:**

- Cognizant Board members reported on their cases and made their recommendations.

➤ **Enforcement Report:**

- Agent Rod Russell reported on 7 cases.

The Board returned to **OPEN SESSION** to vote on the following:

<b>OPEN SESSION:</b>
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- #03-057:** Dr. Wren made a motion to **close** the case, as no violation was found. The motion was seconded by Dr. Patterson and approved by the Board.
- #03-025:** Dr. Anchors made a motion to close the case, as no violation was found. The motion was seconded by Dr. Patterson and approved by the Board.
- Joseph A. Hans:** Dr. Patterson made a motion to **accept** the signed Public Consent Order as presented. The motion was seconded by Dr. Anchors and approved by the Board.
- #02-026:** Dr. Anchors made a motion to **close** the case with a letter of concern. The motion was seconded by Dr. Patterson and approved by the Board.
- #03-060:** Dr. Wren made a motion to **close** the case and flag licensee's record in case he tries to reinstate. The motion was seconded by Dr. Anchors and approved by the Board.
- #03-69, 70, 71:** Dr. Sallarulo recommended to **schedule** investigative interviews with all three chiropractors. Dr. Wren made a motion to **accept** the recommendation and schedule the interviews. The motion was seconded by Dr. Patterson and approved by the Board.
- #03-064:** Dr. Sallarulo recommended to **close** the case, as no violation was found. Dr. Patterson made a motion to **accept** the recommendation and close the case. The motion was seconded by Dr. Anchors and approved by the Board.
- #03-068** Dr. Sallarulo recommended to **close** the case with a letter of concern, requesting the respondent to submit copies of any new advertising for the next year. Dr. Wren made a motion to **accept** the recommendation and close the case with a letter of concern. The motion was seconded by Dr. Patterson and approved by the Board.
- #02-045:** Dr. Wren made a motion to **close** the case, as no violation was found. The motion was seconded by Dr. Anchors and approved by the Board.
- #02-047:** Dr. Patterson made a motion to **close** the case, as no violation was found. The motion was seconded by Dr. Wren and approved by the Board.

- #02-010:** Dr. Anchors made a motion to **close** the case, as no violation was found. The motion was seconded by Dr. Patterson and approved by the Board.
- #02-011:** Dr. Wren made a motion to **close** the case, as no violation was found. Dr. Anchors seconded the motion and it was approved by the Board.
- #01-092:** Dr. Patterson made a motion to **close** the case with a letter of concern. The motion was seconded by Dr. Anchors and approved by the Board.
- #02-037:** Dr. Wren made a motion to **refer** the case to the A.G.'s office for a standard runner consent order. The motion was seconded by Dr. Patterson and approved by the Board.
- #99-2499:** Dr. Anchors made a motion to **close** the case with a letter of concern regarding accuracy of peer review reports. The motion was seconded by Dr. Patterson and approved by the Board.
- Gary M. Johns:** Dr. Sallarulo made a recommendation to **accept** the signed reinstatement consent order upon receipt. Dr. Anchors made a motion to **accept** the recommendation, and accept the consent order upon receipt. The motion was seconded by Dr. Patterson and approved by the Board.
- Melody Jemison:** Dr. Wren made a motion to **accept** the signed Cease and Desist Order. The motion was seconded by Dr. Patterson and approved by the Board.
- Richard Clayton:** Dr. Anchors made a motion to **accept** counteroffer terms for consent order and accept upon receipt. Dr. Wren seconded the motion and it was approved by the Board.

The Board voted to advise Life University that they are no longer required to submit C.E. programs to the Board for approval.

There being no further business to come before the Board, the meeting was adjourned at 5:35 P.M. on July 10, 2003.

**Minutes prepared by:** Lea Williams, Board Secretary  
**Reviewed/Edited by:** Anita O. Martin, Executive Director

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Patrick Sallarulo, D.C.  
Board President

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Mollie L. Fleeman  
Division Director

Attachment #1

Licenses issued March 3, 2003 through July 1, 2003

License #	Name	Status	Issue Date	Expiration Date
CHIR007415	Palmieri, Michael G.	Active	3/4/2003 0:00	12/31/2004 0:00
CHIR007416	Kandie, Josphine	Active	3/4/2003 0:00	12/31/2004 0:00
CHIR007417	Weniger, Jason Allen	Active	3/6/2003 0:00	12/31/2004 0:00
CHIR007418	Bivins, Jeffrey George	Active	3/6/2003 0:00	12/31/2004 0:00
CHIR007419	Zialcita, Manuel Barretto, Jr	Active	3/10/2003 0:00	12/31/2004 0:00
CHIR007420	Jakubczak, Charles Christopher	Active	3/10/2003 0:00	12/31/2004 0:00
CHIR007421	Giles, Douglas Lamar	Active	3/14/2003 0:00	12/31/2004 0:00
CHIR007422	Brown, William Patrick	Active	3/14/2003 0:00	12/31/2004 0:00
CHIR007423	Wanamaker, Gary Clyde	Active	3/14/2003 0:00	12/31/2004 0:00
CHIR007424	Myers, Michael D	Active	3/14/2003 0:00	12/31/2004 0:00
CHIR007425	Larson, Eric John	Active	3/17/2003 0:00	12/31/2004 0:00
CHIR007426	Lotterer, Sean James	Active	3/17/2003 0:00	12/31/2004 0:00
CHIR007427	Smith, Ryan Alexander	Active	3/19/2003 0:00	12/31/2004 0:00
CHIR007428	Cohen, Arie	Active	3/20/2003 0:00	12/31/2004 0:00
CHIR007429	Stone, Matthew Thomas	Active	3/21/2003 0:00	12/31/2004 0:00
CHIR007430	Ottinger, Paul Roy	Active	3/25/2003 0:00	12/31/2004 0:00
CHIR007431	Dinich, Peter	Active	3/28/2003 0:00	12/31/2004 0:00
CHIR007432	Weingart, Brian Michael	Active	3/28/2003 0:00	12/31/2004 0:00
CHIR007433	Forese, Joseph R.	Active	4/2/2003 0:00	12/31/2004 0:00
CHIR007434	Paporto, Andrea	Active	4/2/2003 0:00	12/31/2004 0:00
CHIR007435	Cuono, Steven Ralph	Active	4/14/2003 0:00	12/31/2004 0:00
CHIR007436	Lippincott, Joshua Marc	Active	4/22/2003 0:00	12/31/2004 0:00

CHIR007437	Baker, Elizabeth Joy	Active	4/30/2003 0:00	12/31/2004 0:00
CHIR007438	Lukas, Salvatore John	Active	4/30/2003 0:00	12/31/2004 0:00
CHIR007439	Tenhundfeld, Alex James	Active	4/30/2003 0:00	12/31/2004 0:00
CHIR007440	Park, Jae Min	Active	5/2/2003 0:00	12/31/2004 0:00
CHIR007441	Panek-Falo, Regina Christina	Active	5/6/2003 0:00	12/31/2004 0:00
CHIR007442	Morton, Richard Paul	Active	5/8/2003 0:00	12/31/2004 0:00
CHIR007443	Wagner, John Peter	Active	5/9/2003 0:00	12/31/2004 0:00
CHIR007444	Hryb, Jonathan F.	Active	5/13/2003 0:00	12/31/2004 0:00
CHIR007445	Dotson, Jason Scott	Active	5/13/2003 0:00	12/31/2004 0:00
CHIR007446	Thomas, Gregory Clinton	Active	5/19/2003 0:00	12/31/2004 0:00
CHIR007447	Smith, Beverly Joy	Active	5/19/2003 0:00	12/31/2004 0:00
CHIR007448	Paouncic, Eugene Stephen, Jr	Active	6/9/2003 0:00	12/31/2004 0:00
CHIR007449	Rodriguez, Lazaro Miguel	Active	6/10/2003 0:00	12/31/2004 0:00
CHIR007450	Windham, Sara Elizabeth	Active	6/10/2003 0:00	12/31/2004 0:00
CHIR007451	Freedman, Eric Mitchell	Active	6/10/2003 0:00	12/31/2004 0:00
CHIR007452	Gregory, Ladarian Shawntell	Active	6/17/2003 0:00	12/31/2004 0:00
CHIR007453	Connelly, Thomas Michael	Active	6/19/2003 0:00	12/31/2004 0:00
CHIR007454	Kritzer, Andrew Justin	Active	6/24/2003 0:00	12/31/2004 0:00
CHIR007455	Moleski, Jennifer Lynn	Active	6/24/2003 0:00	12/31/2004 0:00
CHIR007456	Peterson, Kenneth Roy	Active	7/1/2003 0:00	12/31/2004 0:00
CHIR007457	Crespo, Sonia M.	Active	7/1/2003 0:00	12/31/2004 0:00
CHIR007458	Kourajian, Darin Chris	Active	7/1/2003 0:00	12/31/2004 0:00
CHIR007459	Stinson, Jeffrey Wayne	Active	7/1/2003 0:00	12/31/2004 0:00



**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO  
THE GEORGIA BOARD OF  
CHIROPRACTIC EXAMINERS RULES  
RULE 100-2-.08 INACTIVE LICENSE AND  
NOTICE OF PUBLIC HEARING.**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Chiropractic Examiners (hereinafter "Board") proposes an amendment to the Georgia Board of Chiropractic Examiners Rules, Rule 100-2-.08, Inactive License, (hereinafter "proposed rule amendment"). The proposed rule amendment removes the fee amount from the rule.

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-1686.

A public hearing will be held at 10:00 a.m. September 11, 2003, at the Office of the Secretary of State Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. At that meeting, the public will be provided an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on September 4, 2003. Written comments should be addressed to

Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Chiropractic Examiners, 237 Coliseum Drive, Macon, GA 31217. Telephone (478) 207-1686 or fax (478) 207-1699.

The Board will consider the proposed rule amendment for adoption at a meeting scheduled to begin at 10:05 a.m. September 11, 2003 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. The Georgia Board of Chiropractic Examiners has the authority to adopt the proposed rule amendment pursuant to authority contained in O.C.G.A. §§ 43-1-22, 43-1-25, 43-9-6.1, and 43-9-11.

At its meeting on July 10, 2003, the Georgia Board of Chiropractic Examiners voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-22, 43-1-25, 43-9-6.1, and 43-9-11.

Additionally, at its meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-22, 43-1-25, 43-9-6.1, and 43-9-11 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of chiropractic.

For further information, contact the Board office at (478) 207-1686.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Mollie L. Fleeman  
Division Director  
Professional Licensing Boards Division

Posted: \_\_\_\_\_

**SYNOPSIS OF PROPOSED REVISIONS TO THE**  
**GEORGIA BOARD OF**  
**CHIROPRACTIC EXAMINERS RULES**  
**100-2-.08 INACTIVE LICENSE.**

**PURPOSE:** The purpose of the proposed amendment to Rule 100-2-.08 is to remove the fee amount from the rule.

**MAIN FEATURES:** The purpose of the proposed amendment to Rule 100-2-.08 is to remove the fee amount from the rule.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED**  
**AMENDMENTS TO THE GEORGIA BOARD OF CHIROPRACTIC EXAMINERS**  
**RULES, RULE 100-2-.08**  
**INACTIVE LICENSE.**

NOTE: **Struck through text is proposed to be deleted.**

**100-2-.08 Inactive License.**

(1) A Doctor of Chiropractic who holds a valid license to practice Chiropractic in the State of Georgia may request the license be placed on inactive status under the following provisions:

(a) Notifies the Board, in writing, that he or she chooses to retire from active practice of the profession. Said license shall be considered inactive.

(b) Shall not engage in the practice of Chiropractic and shall not hold themselves out to the public as being available to provide chiropractic services.

~~(c) Shall not be required to obtain the necessary continuing education credits.~~

~~(d)~~ (c) Shall not be assessed a renewal fee for the period that the license is inactive.

(2) The practice of chiropractic with an inactive license shall be considered unlicensed practice and is subject to disciplinary action.

(3) Should a Doctor of Chiropractic holding an inactive license choose to return to active practice, the following requirements must be met:

(a) Submit evidence of attendance at 20 hours of Board approved continuing education ~~for each within the last year, or portion thereof during which his/her license has been inactive.~~ In no event will the required number of hours exceed 100 that must be completed prior to reactivation of the license.

(b) Provide evidence that licensee is in good standing in all jurisdictions in which he or she has ever been licensed.

~~(c) An administrative fee of \$250 in addition to the applicable renewal fee for the period during which the license was inactive must be paid~~ Submission of the applicable reactivation fee.

(4) After 5 years of continuous inactive status, the Board may, at its discretion require successful completion of the Special Purposes Examination for Chiropractic (SPEC).

O.C.G.A. §§ 43-1-22, 43-1-25, 43-9-6.1, and 43-9-11.

Attachment #3
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**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO  
THE GEORGIA BOARD OF  
CHIROPRACTIC EXAMINERS RULES  
RULE 100-2-.09 REINSTATEMENT OF EXPIRED  
LICENSES AND NOTICE OF PUBLIC HEARING.**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Chiropractic Examiners (hereinafter "Board") proposes an amendment to the Georgia Board of Chiropractic Examiners Rules, Rule 100-2-.09, Reinstatement of Expired Licenses, (hereinafter "proposed rule amendment"). The proposed rule amendment removes fee amounts from the rule.

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-1686.

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At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on July 3, 2003. Written comments should be addressed to Mollie L. Fleeman, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Chiropractic Examiners, 237 Coliseum Drive, Macon, GA 31217. Telephone (478) 207-1686 or fax (478) 207-1699.

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At its meeting on July 10, 2003, the Georgia Board of Chiropractic Examiners voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-9-6.1, and 43-9-15.

Additionally, at its meeting, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-9-6.1, and 43-9-15 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of chiropractic.

For further information, contact the Board office at (478) 207-1686.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Mollie L. Fleeman  
Division Director  
Professional Licensing Boards Division

Posted: \_\_\_\_\_

**SYNOPSIS OF PROPOSED REVISIONS TO THE**  
**GEORGIA BOARD OF**  
**CHIROPRACTIC EXAMINERS RULES**  
**100-2-.09 REINSTATEMENT OF EXPIRED LICENSES.**

**PURPOSE:** The purpose of the proposed amendment to Rule 100-2-.09 is to delete conflicting information and remove the fee amount from the rule.

**MAIN FEATURES:** The main feature of the proposed amendment to Rule 100-2-.09 is to delete conflicting information and remove the fee amount from the rule.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED**  
**AMENDMENTS TO THE GEORGIA BOARD OF CHIROPRACTIC EXAMINERS**  
**RULES, RULE 100-2-.09**  
**REINSTATEMENT OF EXPIRED LICENSES.**

NOTE: **Struck through text is proposed to be deleted.**

**100-2-.09 Reinstatement of Expired Licenses.**

(1) A chiropractic license which has not been reinstated within ninety (90) days of its expiration date as prescribed in 100-2-.02 above, shall be administratively revoked for failure to renew. Such failure to renew shall have the same force and effect as a revocation of said license as provided in O.C.G.A. [43-1-19](#) (1). Licenses that have been administratively revoked for failure to renew must be reinstated by the Board.

(2) For purposes of this regulation, the administrative revocation of license for failure to renew shall not be treated as a disciplinary action or contested case.

(3) Applicants who apply for reinstatement after the renewal deadline may be reinstated at the discretion of the Board. ~~only after the applicant has had a personal interview with the Board and has paid all accrued fees plus a penalty fee of \$500. The Board may require applicants for reinstatement to take and pass the practical examination.~~

(4) Applicants who apply for reinstatement three (3) years or more after the renewal deadline shall be required, before reinstatement of said license, to submit a detailed resume of such licensee's ~~chiropractic~~ chiropractic experience since the date said license was renewed and in good standing. If the chiropractor has been practicing outside of Georgia, the Board must receive a statement from a recognized licensing jurisdiction regarding the state of licensure in such locale. Such applicants must meet all requirements set forth for applicants for reinstatement who apply after the renewal deadline, and together with the application, the Board may require proof of having successfully passed the Special Purposes Examination for ~~Chiropractic~~ Chiropractic developed and administered by the National Board of ~~Chiropractic~~ Chiropractic Examiners no earlier than 24 months prior to date of application.

(5) Upon evaluation of such information, the Board may reinstate said license, or at its discretion condition reinstatement of said license upon conditions acceptable to the Board.

O.C.G.A. §§ 43-1-25, 43-9-6.1, and 43-9-15